

**EXHIBIT A - FINDINGS**

***Environmental Determination***

- A. This project qualifies for a Class 3 Categorical Exemption (Class 3, ED14-200) pursuant to State CEQA guidelines Section 15303 because the project is minor in nature, involves little site disturbance, will not require the removal of any native vegetation, and will visually blend with the existing utility pole.

***Minor Use Permit***

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code. In particular, the proposed facility would be collocated on an existing PG&E utility pole and the proposed antennas and associated equipment would be painted to match and blend with the existing utility pole.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the installation and operation of such a facility does not generate activity that presents a potential threat to the surrounding property and buildings. The applicant supplied a report to evaluate the proposed communications facility for compliance with appropriate guidelines limiting human exposure to radio frequency (RF) electromagnetic fields. According to the RF report for this project (EBI Consulting; January 8, 2014), the maximum RF emissions from the proposed facility would be equivalent to 0.009 percent of the FCC general public limit (0.0018 percent of the FCC's occupational limit). The report concludes that the facility would operate within the FCC standard for RF emissions.
- E. The proposed wireless communication facilities will not be adversely inconsistent with the rural character and natural setting of the immediate area or contrary to its orderly development because the proposed facility would be collocated on an existing PG&E utility pole and the proposed antennas and associated equipment would be painted to match and blend with the existing utility pole.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Highway 1, a major arterial constructed to a level able to handle any additional traffic associated with the project. The only traffic associated with the project is a single vehicle performing routine maintenance every four to six weeks.

## **EXHIBIT B - CONDITIONS OF APPROVAL**

### **Approved Development**

1. This approval authorizes the construction and operation of one unmanned wireless communications facility, consisting of the following improvements:
  - a. Replacement of two existing 4' tall panel antennas with four new 6' tall panel antennas at a height of 27'-6" on an existing 43' tall power pole. The proposed panel antennas and all associated mounting brackets and wires shall be painted a non-reflective brown color to match the existing wooden utility pole;
  - b. Installation of four new Remote Radio Units (RRUs) on the power pole. The proposed RRUs and all associated mounting brackets and wires shall be painted a non-reflective brown color to match the existing wooden utility pole;
  - c. Installation of proposed and relocated ground equipment within a new 10' x 15' fenced lease area, located approximately 200' to the north on an adjacent parcel; and
  - d. Installation of associated coaxial and fiber cables in an underground trench.
2. All development shall be consistent with the approved site plan, equipment layout plan and architectural elevations.

### **Conditions to be completed prior to issuance of a construction permit**

#### ***Encroachment Permit***

3. **Prior to issuance of a construction permit**, the applicant shall submit an encroachment permit from CalTrans authorizing the proposed facility to be located within the Highway 1 right-of-way.

#### ***Aesthetic / Visual Resources***

4. **Prior to issuance of a construction permit**, the applicant shall submit a color board for all proposed improvements (including, but not limited to, panel antennas, remote radio units, and all other associated equipment). The color to be used shall be a non-reflective brown color to blend with the PG&E utility pole.

#### ***Condition Compliance Coordinator***

5. **Prior to issuance of a construction permit**, a "condition compliance" sheet shall be added to construction plans that include a complete copy of the final conditions of approval for the project.
6. **Prior to issuance of a construction permit**, the applicant shall identify a Condition Compliance Coordinator (CCC) to ensure all conditions of approval and mitigation requirements are met. The CCC shall be the County's contact and shall be responsible to ensure all mitigation requirements are met. A pre-construction meeting shall take place between the CCC and the County to review the application and establish the responsibility and authority of the participants.

#### ***Fire Safety***

7. **Prior to issuance of construction permit**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. The applicant shall prepare a fire safety plan meeting Cal Fire requirements, including, but not limited to, adequate access, clearance, and fire extinguisher.

***Hazards/Hazardous Materials***

8. **Prior to issuance of a construction permit**, the applicant shall submit for review and approval a Hazardous Materials Business Plan for the proposed wireless communications facility to the County Environmental Health office for review and approval.

***Drainage***

9. **Prior to issuance of construction permit**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance. All drainage must be retained on-site and the design of the basin shall be approved by the Department of Public Works.

***Hazards / Hazardous Materials***

10. **Prior to issuance of a construction permit**, the applicant shall submit for review and approval a hazardous materials business plan for the proposed wireless communications facility to the County Environmental Health office for review and approval.

***Site Restoration***

11. **Prior to issuance of a construction permit**, the applicant shall post a performance agreement and financial instrument with the County in an amount commensurate with the cost of facility removal and site restoration. The financial instrument shall be released by the County at the time the facility is removed and the site is restored.

**Conditions to be completed during project construction**

***Cultural Resources***

12. **In the event archaeological resources are unearthed or discovered during any construction activities**, the following standards apply:
  - a. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. The applicant shall implement the mitigation as required by the Environmental Coordinator.
  - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department of Environmental Coordinator so that proper disposition may be accomplished.

***Fire Safety***

13. **During construction**, activities that pose an ignition source will have to comply with fire safety laws. This includes welding activities and use of heavy equipment. All equipment must be in compliance. Consideration of fuel breaks or other treatment shall occur in construction area. If a fire ignites due to construction activities the responsible party may be liable for suppression costs.

**Conditions to be completed prior to occupancy or final building inspection / establishment of the use**

14. **Prior to final inspection**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of approval.
15. The facility shall not be operated until all conditions of approval have been met and all required building permits have received final inspection.

***Aesthetic / Visual Resources***

16. **Prior to final inspection**, the applicant shall paint all proposed improvements (including, but not limited to antennas, RRUs, coaxial cables, and associated mounting brackets) the color and finish approved by the Department of Planning and Building. Painting shall be maintained for the life of the project.

***Explanatory Warning Signs for Occupational Exposures***

17. **Prior to final inspection**, explanatory warning signs\* to prevent occupational exposures in excess of the FCC guidelines are to be posted at the site entrance gate and on or at the barrier fence and antennas such that they would be readily visible from any angle of approach to persons who might need to work near the antennas. (\*Warning signs should comply with ANSI C95.2 color, symbol, and content conventions. In addition, contact information should be provided (e.g., a telephone number) to arrange for access to restricted areas).

***Fire Safety***

18. **Prior to final inspection**, the applicant shall meet all applicable Cal Fire requirements.

***Hazardous Materials***

19. **Prior to final inspection**, the applicant shall provide verification from Environmental Health that the Hazardous Materials Business Plan has been implemented.

***Mitigation Monitoring / Condition Compliance***

20. **Prior to final inspection**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval unless the condition requires earlier inspection.
21. **Prior to final inspection**, the CCC will incorporate the findings of the monitoring effort into a final comprehensive construction monitoring report to be submitted to the County of San Luis Obispo.

***Undergrounding of Utilities***

22. The applicant shall install all utilities serving the project underground rather than by use of poles and overhead lines.

**On-going conditions of approval**

23. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is

occurring above grade.

24. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.
25. All obsolete or used facilities shall be removed within twelve months of cessation of the applicant's wireless communication operations on the site. The applicant shall be responsible for the removal of such facility and all associated structures and restoration of the site to pre-project condition. Restoration does not include removal of vegetation planted to provide visual screening. At the time the use of the facility is discontinued the owner of the facility must notify the Department of Planning and Building.

**Access**

26. Site access for construction and maintenance shall be from existing roads only. No road improvements shall occur.

**Visual / Aesthetic Resources**

27. The approved colors shall be maintained for the life of the project. Repainting and maintenance shall occur as necessary.
28. If new technology is developed that reduces the impacts of the proposed project, the applicant agrees to install such improvements within 6 months of notification by the county.

**Co-location**

29. The applicant agrees to allow other carriers to co-locate at this site, if technically feasible, subject to land use permit approval.

**Electric and Magnetic Fields**

30. The facility shall be designed and operated to ensure that power densities received from transmissions, with all transmitters at the site transmitting at full power, will comply with federal law and regulation.

**Lighting**

31. No exterior lighting is approved for the project.

**Noise**

32. HVAC units shall be sound attenuated to meet applicable County and State exterior noise standards, if applicable. The project shall be maintained in compliance with the county Noise Element (including emergency generators). Any back-up or emergency generators shall have a noise baffle cover and shall not exceed a maximum noise level of 65 dbL at a distance of 50 feet from the generator.